

Committee Members

Councilman Gene Nocera, Co-Chair
Councilwoman Jeanette Blackwell Co-Chair
Councilman Philip Pessina Vice-Chair
Kristy Byrd
Sheila Daniels
John Giuliano
Richard Pelletier
John Phillips
Theodore Raczka
Stephen Zarger
Anita Dempsey-White

Committee Staff

Dr. Michael Conner; Superintendent
Marco Gaylord; Director Operations
Elise McDermott; Finance and Budget
Peter Staye; Director Facilities
Erin Thazhampallath; Secretary

Meeting Minutes

*****Online WEBEX*****

Woodrow Wilson Building Committee

Monday, August 31, 2020

6:00 P.M

Members Present: Councilman Gene Nocera
Councilwoman Jeanette Blackwell
Richard Pelletier
Stephen Zarger
John Giuliano
Sheila Daniels
Anita Dempsey-White
Kristy Byrd

Members Absent: Councilman Philip J. Pessina
John Phillips
Theodore Raczka

Staff Present: Peter Staye; Director Facilities
Elise McDermott; Finance
Erin Thazhampallath; Secretary

Others Present: Hristo Miljovski, Project Engineer, O&G Industries
Joe Vetro; Project Manager, O&G Industries
Mark Jeffko, Project Exec, O&G
Randall Luther; TSKP
Mary-Lynn Radych; TSKP
Michael C. Scott; Senior Architect, TSKP

1. **Councilman Gene Nocera, Co-Chair calls the meeting to order at 6:07pm.**
2. **Councilman Gene Nocera calls for a Motion to Approve the Meeting Minutes of July 27, 2020. Motion by Jeanette Blackwell and seconded by Kristy Byrd to approve the minutes of the meeting of July 27, 2020. All those in favor: Gene Nocera, Jeanette Blackwell, John Giuliano, Richard Pelletier, Steven Zarger, Sheila Daniels, Kristy Byrd, Anita Dempsey-White. Motion passed unanimously.**

3. Construction Updates

3.1 Workflow Status: In Progress

A. O&G Status Update: Joe Vetro; Project Manager, O&G Industries presents to the Committee the Monthly Project Report. We have total funds available as \$2,115,998.00 which really has not changed from the previous report. The only item I have for approval tonight is in respect to additional marker and tack boards for a total of \$23,957.00. As far as schedule we have 3 areas: A, B,C. Vetro gives an update on the construction progress of the building and notes the specific work in each of the areas. Councilwoman Jeanette Blackwell asks for the physical progress percentages for completion. Vetro states that Construction is at 30% completion. Sitework & Landscaping is at 39% and Commissioning work is at 5%.

Councilman Gene Nocera states that the subcommittee met and spoke on PCO #60 for the marker and tack board work and the subcommittee was in agreement that this should be passed with information provided to them by Michael C. Scott; Senior Architect, TSKP.

Councilman Gene Nocera asks for a motion to approve PCO#60 with a Budget Transfer and Change Order (the cost for additional marker and tack boards) for a total of \$23,957.00. Councilwoman Jeanette Blackwell makes the motion and asks Joe Vetro if the boards will be going in the offices and not the classrooms. Joe Vetro clarifies that these will be going in offices and conference rooms. There are a total of 89 boards. Stephen Zarger seconds the motion. All those in favor: Gene Nocera, Jeanette Blackwell, John Giuliano, Richard Pelletier, Steven Zarger, Sheila Daniels, Kristy Byrd, Anita Dempsey-White. Motion passed unanimously.

B. TSKP Status Update: Michael C. Scott; Senior Architect, TSKP states that the intensity on site continues to ramp up as more of the building is framed now that the bulk of the heavy equipment around area A has been removed. Additionally we are working through the

Innovation Center updates that were authorized in last month's meeting, coordinating with our consultants and Millenium.

Councilman Gene Nocera states in September we will have more specifics on the Innovation lab. Nocera commends O&G for all their hard work during this time and especially their success at working under safe conditions and protocol during COVID times.

4. Action Items:

4.1: Councilwoman Jeanette Blackwell presents this agenda item. Eversource Easement and Title Search Quotes: This is an area we have already taken some time to talk about and we took this back to the City Attorney Brig Smith and asked for some local attorney options so that we use an entity inside of Middletown. Options 1 and 2 are the two outside entities so I would suggest we focus on 3-5. These are the additional Local Attorneys that expressed interest in completing the easement and title search quote. It's my understanding from Attorney Smith that we do not need to go with the Attorney that is charging the least amount. Number 3 and 5 provided a clear price while Number 4 gave an hourly rate.

Councilman Gene Nocera makes a suggestion for Councilwoman Jeanette Blackwell to meet with Attorney Smith and collaborate and choose the Attorney for this work.

Richard Pelletier asks why there is a huge difference between the quotes. Nocera states that some Attorneys may do a closer investigation. That is why we may need the legal team to weigh in.

Sheila Daniels asks if it is standard to do this rather than go to Attorney Smith first. Is it ok to be putting this off? and where do we go from here?

Councilwoman Jeanette Blackwell states that she believes that the committee can make a recommendation tonight to bring back to the City Attorney as the recommendation. The Attorney made it clear that we do not need to focus on cost and all the Attorneys presented can perform the task efficiently. Joe Vetro; O&G states that this was not an urgent matter last month but going forward it is important to move forward on this soon. Power will be needed out on site and we will not be able to power with the temporary service we have now.

Councilman Gene Nocera states that he would prefer to bring this back to the City Attorney.

Sheila Daniels asks TSKP if they are familiar with any of the work from these Attorneys and Randal Luther; TSKP states that while he is not familiar with these specific Attorneys it seems to him that if they are all able to do the same scope of work then it would seem we should choose the lower cost.

Councilman Gene Nocera makes a motion to award the scope of work for the Eversource Easement and Title Search Quotes to Attorney Mark Balaban (The Balaban Law Firm) for a

total of \$2,200. All those in favor: Gene Nocera, Jeanette Blackwell, John Giuliano, Richard Pelletier, Steven Zarger, Sheila Daniels, Kristy Byrd, Anita Dempsey-White. Motion passed unanimously.

1. First American Title Insurance Company: \$5,000-\$8,000 for both searches, plus title insurance in the amount of \$458. **Total: \$5,458-\$8,458**
2. Attorney Cholewa (Law Offices of Matthew J. Cholewa, LLC): Attorney title searcher who will perform the search himself and issue a certificate of title: **Total: \$2,100.**
3. Attorney David Rosenberg (Gambardella, Cipriano, Gottlieb & Hathaway, PC): \$2,500-3,500 for the two title searches, plus \$1,000 for him to review and issue a certificate of title. **Total: \$3,500-\$4,500.**
4. Attorney Brad Malicki (Halloran & Sage): \$325 per hour. No flat fee.
Total: To be determined.
5. Attorney Mark Balaban (The Balaban Law Firm): \$1,900 for the two searches, plus \$300 for him to review and issue a certificate of title. **Total: \$2,200.**

5. Financial Report:

5.1: Financial Update: Elise McDermott; Financial report and update.

Elise McDermott asks Joe Vetro if he has any information regarding PCO50. Vetro states that they are still in process on that PCO.

McDermott informs the committee that in order to move forward with the Eversource Easement and Title Search work the Committee will need to make a motion for a Budget Transfer and Purchase Order.

Councilman Gene Nocera makes a motion for a Budget Transfer and Purchase Order in the amount of \$2,200 for Attorney Mark Balaban (The Balaban Law Firm) to complete the Eversource Easement and Title Search work. Councilwoman Jeanette Blackwell seconds the motion. All those in favor: Gene Nocera, Jeanette Blackwell, John Giuliano, Richard Pelletier, Steven Zarger, Sheila Daniels, Kristy Byrd, Anita Dempsey-White. Motion passed unanimously.

McDermott met with the Chairs of the Committee to discuss the project's owner contingency and they agreed to put in a line item for both the Innovation Lab as well as the Owner's Contingency strictly for O&G. Joe Vetro and I have been working on the budget for the project and on the last cost summary, if you look, Joe and I are using the same amount for the Owners Contingency. At the last meeting it was voted to take \$350,000 away from that and put it towards the Innovation Lab. It is important to me that everyone recognizes the change orders that are happening and how the amount is impacted by those changes. McDermott explains where the Owners Contingency is at this point and wants everyone to be aware and visually see where we stand. Councilman Gene Nocera states that we will continue to have monthly updates and see how Change Orders impact the budget. There is no cause for alarm but everyone should be aware especially in the future as more COs are presented. McDermott explains that her and Joe Vetro are both on top of these numbers. Councilwoman Jeanette Blackwell states that, at the subcommittee, it was discussed that the 3 Council Members along with Elise McDermott and Joe Vetro will have a separate meeting to continue to walk through the budget.

5.2: Budget Transfer and Change Orders

A. Motion by Councilwoman Jeanette Blackwell and seconded by Councilman Gene Nocera to approve a Budget Transfer and Purchase Order for Ekris Communications to replace the electrical services on Hunting Hill Rd for a cost of \$13,300. All those in favor: Gene Nocera, Jeanette Blackwell, John Giuliano, Richard Pelletier, Steven Zarger, Sheila Daniels, Kristy Byrd, Anita Dempsey-White. Motion passed unanimously.

B. Motion by Councilwoman Jeanette Blackwell and seconded by Councilman Gene Nocera to Create a Line Item and Budget Transfer for Owners Contingency in the amount of \$1,693,489.01. All those in favor: Gene Nocera, Jeanette Blackwell, John Giuliano, Richard Pelletier, Steven Zarger, Sheila Daniels, Kristy Byrd, Anita Dempsey-White. Motion passed unanimously.

C. Motion by Councilwoman Jeanette Blackwell and seconded by Councilman Gene Nocera to Create a Line Item and Budget Transfer for Innovation Lab Contingency for a total of \$232,063.00. Peter Staye asks why this total is for less than the \$350,000.00 previously voted on. Elise McDermott explains that we already approved and used some of those funds. All those in favor: Gene Nocera, Jeanette Blackwell, John Giuliano, Richard Pelletier, Steven Zarger, Sheila Daniels, Kristy Byrd, Anita Dempsey-White. Motion passed unanimously.

5.3: Invoice Approval

A. Motion by Councilwoman Jeanette Blackwell and seconded by Councilman Gene Nocera to approve O&G Invoice #13 in the amount of \$4,874,199.18. All those in favor:

Gene Nocera, Jeanette Blackwell, John Giuliano, Richard Pelletier, Steven Zarger, Sheila Daniels, Kristy Byrd, Anita Dempsey-White. Motion passed unanimously.

B. Motion by Councilwoman Jeanette Blackwell and seconded by Councilman Gene Nocera to approve the Eversource Trailer Utility Bill in the amount of \$603.09. All those in favor: Gene Nocera, Jeanette Blackwell, John Giuliano, Richard Pelletier, Steven Zarger, Sheila Daniels, Kristy Byrd, Anita Dempsey-White. Motion passed unanimously.

C. Motion by Councilwoman Jeanette Blackwell and seconded by Councilman Gene Nocera to approve the Eversource New Meter on Hunting Hill Avenue not to exceed. \$1,200.00. It is explained that this bill has not come to the committee yet but will be received in the next few days. All those in favor: Gene Nocera, Jeanette Blackwell, John Giuliano, Richard Pelletier, Steven Zarger, Sheila Daniels, Kristy Byrd, Anita Dempsey-White. Motion passed unanimously.

D. Motion by Councilwoman Jeanette Blackwell and seconded by Councilman Gene Nocera to approve the Finance/Budget Time Card for the months of July/August for a total of 21 Hours. Sheila Daniels asks why the Agenda does not include the rate of pay. The secretary informs that she was not sure of the rate of pay so only included the hours. Councilman Gene Nocera explains that the rate of pay was McDermott's rate of pay when she left City Finance. All those in favor: Gene Nocera, Jeanette Blackwell, John Giuliano, Richard Pelletier, Steven Zarger, Sheila Daniels, Kristy Byrd, Anita Dempsey-White. Motion passed unanimously.

E. Motion by Councilwoman Jeanette Blackwell and seconded by Councilman Gene Nocera to approve the Committee Secretary Timecard for July/August for a total of 13 Hours at \$25 per hour. All those in favor: Gene Nocera, Jeanette Blackwell, John Giuliano, Richard Pelletier, Steven Zarger, Sheila Daniels, Kristy Byrd, Anita Dempsey-White. Motion passed unanimously.

F. Motion by Councilwoman Jeanette Blackwell and seconded by Councilman Gene Nocera to approve TSKP Invoice #27 in the amount of \$51,611.92. All those in favor: Gene Nocera, Jeanette Blackwell, John Giuliano, Richard Pelletier, Steven Zarger, Sheila Daniels, Kristy Byrd, Anita Dempsey-White. Motion passed unanimously.

6. Discussion:

6.1: Schedule and Date and Time for the Committee to tour the new building: Agreed on Tuesday, September 29 at 5pm.

6.2: Existing Woodrow Wilson Cafeteria Structure: The Rec Center is still on target and on this Wednesday the Council is going to be voting on a bond which includes some funds that will properly bring up to code the recreation portion of this project in the back of the school. This will go to the voters in November. It is one of several items on the bond.

6.3: We are pleased to report that the road on Hunting Hill avenue will be permanently closed. It will be closed except for emergency vehicles. We will talk more about the design plan soon to come.

7. Motion by Gene Nocera and seconded by John Giuliano to Adjourn the meeting at 7:03pm. All those in favor: All those in favor: Gene Nocera, Jeanette Blackwell, John Giuliano, Richard Pelletier, Steven Zarger, Sheila Daniels, Kristy Byrd, Anita Dempsey-White. Motion passed unanimously.

Respectfully Submitted,

Erin Thazhampallath
Recording Secretary